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John P. Musone  
Siemens Corporation  
Intellectual Property Department  
170 Wood Avenue South  
Iselin, NJ 08830

In re Application of	:	
JANSSEN, et al.	:	
Application No.: 10/537,237	:	DECISION ON PETITION
PCT No.: PCT/DE03/03959	:	
Int. Filing Date: 02 December 2003	:	UNDER 37 CFR 1.181
Priority Date: 05 December 2002	:	
Attorney Docket No.: 2002P19841WOUS	:	
For: TURBINE SHAFT AND PRODUCTION OF A	:	
TURBINE SHAFT	:	

This decision is in response to applicant's "Request to Withdraw Notification of Abandonment" filed 27 January 2006 in the United States Patent and Trademark Office (USPTO). The request is being treated as a petition under 37 CFR 1.181. No petition fee is required.

### **BACKGROUND**

On 02 December 2003, applicant filed international application PCT/DE03/03959, which claimed priority of an earlier application filed 05 December 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 17 June 2004. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the priority date, 05 June 2005.

On 31 May 2005, applicant filed a transmittal letter for entry into the national stage in the United States, which was accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); an English language translation of the international application; an executed declaration of the inventors; a preliminary amendment and an assignment document for recording.

On 04 November 2005, applicant was mailed a NOTIFICATION OF ABANDONMENT (Form PCT/DO/EO/909) informing applicant that payment of full U.S. Basic National Fee had not been received prior to the expiration of thirty months from the priority date and that above-identified application was abandoned as to the United States.

On 27 January 2006, applicant filed the present petition under 37 CFR 1.181 requesting

withdrawal of the abandonment.

### **DISCUSSION**

A review of the USPTO fee records for deposit account number 19-2179 finds that there were sufficient funds in the account to charge the full U.S. Basic National Fee.

Further, a review of the application file reveals that all of the requirements of 35 U.S.C. 371 for entry into the national stage in the United States were satisfied on 31 May 2005.

### **CONCLUSION**

Applicant's petition under 37 CFR 1.181 is **GRANTED**.

The Notification of Abandonment mailed 04 November 2005 is hereby **VACATED**.

This application will be given an international application filing date of 02 December 2003 and a date of **31 May 2005** under 35 U.S.C. 371(c)(1), (c)(2) and (c)(4).

This application is being returned to the DO/EO/US for processing in accordance with this decision.



Derek A. Putonen  
Attorney Advisor  
Office of PCT Legal Administration  
Tel: (571) 272-3294  
Fax: (571) 273-0459